

**HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE S.ANANDA REDDY**

WRIT PETITION No.4707 of 2007

Date: 23-07-2007.

Between :

M/s.Gayatri Projects Limited, Hyderabad,
rep. by its Chief Finance Officer.

.....Petitioner

And

The Commercial Tax Officer, Basheerbagh Circle,
Hyderabad.

.....Respondent.

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ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties.

The petitioner's grievance is that an amount of Rs.77,43,445/- had been retained by the Department although he was held entitled to its refund. The learned Government Pleader, on last occasion, submitted that a revision was being contemplated against the order and as a matter of fact, thereafter a revision was initiated. The petitioner's case was that even if revision was accepted, it would fasten a liability of about Rs.36,00,000/-. Even then, the respondents could not retain the whole amount of Rs.77,43,445/-. Now we are informed by the learned counsel for petitioner that a refund order for Rs.41,14,985/- has already been made and the money is due for encashment, but since the respondents had retained the amount, petitioner was also entitled to interest in terms of the provisions of the Andhra Pradesh General Sales Tax Act and Rules, but no order as far as interest has been made although the application of the petitioner is also pending.

In this view of the matter, we dispose of the writ petition directing the respondents to consider the request of petitioner for payment of interest within a period of four weeks from today.

BILAL NAZKI, J

23rd July 2007

S.

ANANDA REDDY, J
ajr